



PATENT
Customer No. 22,852
Attorney Docket No. 07528.0010-01000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Inventor: Richard F. SCHROEDER et al.)	Group Art Unit: 3766
)	
Application No.: 10/762,513)	Examiner: F. P. Oropeza
)	
Filed: January 23, 2004)	
)	
For: METHODS AND DEVICES FOR)	Confirmation No.: 5243
IMPROVING MITRAL VALVE)	
FUNCTION)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

In reply to the Notice of Non-Compliant Amendment mailed on January 29, 2008, the period for response having been extended to March 29, 2008, by a Petition for Extension of Time -- One Month -- and fee payment filed concurrently herewith, Applicant submits this Response to Notice of Non-Compliant Amendment.

In the Notice, with regard to the present case, the Examiner considered the Amendment filed on December 5, 2007, as allegedly being non-compliant because the Amendment did not list any claims with the status identifier of "withdrawn."

As an initial matter, Applicant would like to thank Examiner Oropeza for the courtesies extended to Applicant's representative during the personal interview of February 14, 2008. During the interview, Applicant's representative pointed out to Examiner Oropeza that, since all of the currently pending claims "read" on the

previously elected embodiment, it was not necessary to designate any of these claims as "withdrawn" from further consideration. Examiner Oropeza agreed and stated that, since all formality issues have been addressed, the present application was now in condition to receive a first action on the merits. See February 20, 2008, Interview Summary at page 4. Furthermore, as noted in the Interview Summary, Examiner Oropeza indicated that she expects to issue a first Office Action "by the end of February [2008]." Id.

Should the Examiner disagree with the Applicant's comments on the substance of the interview, the Examiner is invited to contact the undersigned to resolve such disagreement.

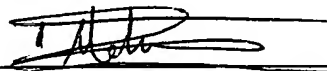
Based on the agreements reached during the aforementioned interview, Applicant respectfully submits that the Amendment filed on December 5, 2007, is fully compliant with all applicable rules and regulations. Accordingly, Applicant respectfully resubmits the Amendment, as originally filed on December 5, 2007, and awaits a first action on the merits in this case.

Please grant any extensions of time required to enter this Response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: March 4, 2008

By: 
Dinesh N. Melwani
Reg. No. 60,670

ATTACHMENT: Amendment filed on December 5, 2007



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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT

In reply to the Office Action mailed on October 31, 2007, the period for response having been extended to December 16, 2007, by a Petition for Extension of Time - Four Months - and fee payment filed concurrently herewith, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims beginning on page 2 of this paper.

Remarks follow the amendment section of this paper.